UNITED STATES COAST PILOT CORRECTIONS

COAST PILOT 3 36 Ed 2003 Change No. 1
LAST NM 34/03

Page 118—Paragraph 1712 to Page 122—Paragraph 1802; read:

§165.501 Chesapeake Bay entrance and Hampton Roads, VA and adjacent waters–Regulated Navigation Area.

(a) *Location*. The waters enclosed by the shoreline and the following lines are a Regulated Navigation Area:

(1) *Offshore zone*. A line drawn due East from the mean low water mark at the North Carolina and Virginia border at 36˚33'03"N., 75˚52'00"W., to the Territorial Seas boundary line at 36˚33'05"N., 75˚36'51"W., thence generally Northeastward along the Territorial Seas boundary line to 38˚01'39"N., 74˚57'18"W., thence due West to the mean low water mark at the Maryland and Virginia border at 38˚01'39"N., 75˚14'30"W., thence South along the mean low water mark on the Virginia coast, and eastward of the Colregs Demarcation Lines across Chincoteague Inlet, Assawoman Inlet, Gargathy Inlet, Metompkin Inlet, Wachapreague Inlet, Quinby Inlet, Great Machipongo Inlet, Sand Shoal Inlet, New Inlet, Ship Shoal Inlet and Little Inlet, to the Colregs Demarcation Line across the mouth of Chesapeake Bay, continuing south along the Virginia low water mark and eastward of the Colregs Demarcation Line across Rudee Inlet to the point of beginning. All positions reference NAD 83.

(2) *Inland zone*. The waters enclosed by the shoreline and the following lines:

(i) A line drawn across the entrance to Chesapeake Bay between Wise Point and Cape Charles Light, and then continuing to Cape Henry Light.

(ii) A line drawn across the Chesapeake Bay between Old Point Comfort Light and Cape Charles City Range "A" Rear Light.

(iii) A line drawn across the James River along the eastern side of U.S. Route 17 highway bridge, between Newport News and Isle of Wight County, Virginia.

(iv) A line drawn across Chuckatuck Creek along the northern side of the north span of the U.S. Route 17 highway bridge, between Isle of Wight County and Suffolk, Virginia.

(v) A line drawn across the Nansemond River along the northern side of the Mills Godwin (U.S. Route 17) Bridge, Suffolk, Virginia.

(vi) A line drawn across the mouth of Bennetts Creek, Suffolk, Virginia.

(vii) A line drawn across the Western Branch of the Elizabeth River along the eastern side of the West Norfolk Bridge, Portsmouth, Virginia.

(viii) A line drawn across the Southern Branch of the Elizabeth River along the northern side of the I-64 highway bridge, Chesapeake, Virginia.

(ix) A line drawn across the Eastern Branch of the Elizabeth River along the western side of the west span of the Campostella Bridge, Norfolk, Virginia.

(x) A line drawn across the Lafayette River along the western side of the Hampton Boulevard Bridge, Norfolk, Virginia.

(xi) A line drawn across Little Creek along the eastern side of the Ocean View Avenue (U.S. Route 60) Bridge, Norfolk, Virginia.

(xii) A line drawn across Lynnhaven Inlet along the northern side of Shore Drive (U.S. Route 60) Bridge, Virginia Beach, Virginia.

(b) *Definitions*. In this section:

CBBT means the Chesapeake Bay Bridge Tunnel.

Coast Guard Patrol Commander is a Coast Guard commissioned, warrant or petty officer who has been designated by the Commander, Coast Guard Group Hampton Roads.

Designated representative of the Captain of the Port means a person, including the duty officer at the Coast Guard Marine Safety Office Hampton Roads, the Joint Harbor Operations Center watchstander, or the Coast Guard or Navy Patrol Commander who has been authorized by the Captain of the Port to act on his or her behalf and at his or her request to carry out such orders and directions as needed. All patrol vessels shall display the Coast Guard Ensign at all times when underway.

I-664 Bridge Tunnel means the Monitor Merrimac Bridge Tunnel.

Inland waters means waters within the COLREGS Line of Demarcation.

Thimble Shoal Channel consists of the waters bounded by a line connecting Thimble Shoal Channel Lighted Bell Buoy 1TS, thence to Thimble Shoal Lighted Gong Buoy 17, thence to Thimble Shoal Lighted Buoy 19, thence to Thimble Shoal Lighted Buoy 21, thence to Thimble Shoal Lighted Buoy 22, thence to Thimble Shoal Lighted Buoy 18, thence to Thimble Shoal Lighted Buoy 2, thence to the beginning.

Thimble Shoal North Auxiliary Channel consists of the waters in a rectangular area 450 feet wide adjacent to the north side of Thimble Shoal Channel, the southern boundary of which extends from Thimble Shoal Channel Lighted Buoy 2 to Thimble Shoal Lighted Buoy 18.

Thimble Shoal South Auxiliary Channel consists of the waters in a rectangular area 450 feet wide adjacent to the south side of Thimble Shoal Channel, the northern boundary of which extends from Thimble Shoal Channel Lighted Bell Buoy 1TS, thence to Thimble Shoal Lighted Gong Buoy 17, thence to Thimble Shoal Lighted Buoy 19, thence to Thimble Shoal Lighted Buoy 21.

(c) *Applicability.* This section applies to all vessels operating within the Regulated Navigation Area, including naval and public vessels, except vessels that are engaged in the following operations:

(1) Law enforcement.

(2) Servicing aids to navigation.

(3) Surveying, maintenance, or improvement of waters in the Regulated Navigation Area.

(d) *Regulations*.

(1) *Anchoring restrictions*. No vessel over 65 feet long may anchor or moor in the inland waters of the Regulated Navigation Area outside an anchorage designated in Sec. 110.168 of this title, with these exceptions:

(i) The vessel has the permission of the Captain of

the Port.

(ii) Only in an emergency, when unable to proceed without endangering the safety of persons, property, or the environment, may a vessel anchor in a channel.

(iii) A vessel may not anchor within the confines of Little Creek Harbor, Desert Cove, or Little Creek Cove without the permission of the Captain of the Port. The Captain of the Port shall consult with the Commander, Naval Amphibious Base Little Creek, before granting permission to anchor within this area.

(2) *Anchoring detail requirements*. A self-propelled vessel over 100 gross tons, which is equipped with an anchor or anchors (other than a tugboat equipped with bow fenderwork of a type of construction that prevents an anchor being rigged for quick release), that is underway within two nautical miles of the CBBT or the I-664 Bridge Tunnel shall station its personnel at locations on the vessel from which they can anchor the vessel without delay in an emergency.

(3) *Secondary towing rig requirements on inland waters.*

(i) A vessel over 100 gross tons may not be towed in the inland waters of the Regulated Navigation Area unless it is equipped with a secondary towing rig, in addition to its primary towing rig, that:

(A) Is of sufficient strength for towing the vessel.

(B) Has a connecting device that can receive a shackle pin of at least two inches in diameter.

(C) Is fitted with a recovery pickup line led outboard of the vessel's hull.

(ii) A tow consisting of two or more vessels, each of which is less than 100 gross tons, that has a total gross tonnage that is over 100 gross tons, shall be equipped with a secondary towing rig between each vessel in the tow, in addition to its primary towing rigs, while the tow is operating within this Regulated Navigation Area. The secondary towing rig must:

(A) Be of sufficient strength for towing the vessels.

(B) Have connecting devices that can receive a shackle pin of at least two inches in diameter.

(C) Be fitted with recovery pickup lines led outboard of the vessel's hull.

(4) *Thimble Shoals Channel controls*.

(i) A vessel drawing less than 25 feet may not enter the Thimble Shoal Channel, unless the vessel is crossing the channel. Masters should consider the squat of their vessel based upon vessel design and environmental conditions. Channel crossings shall be made as perpendicular to the channel axis as possible.

(ii) Except when crossing the channel, a vessel in the Thimble Shoal North Auxiliary Channel shall proceed in a westbound direction.

(iii) Except when crossing the channel, a vessel in the Thimble Shoal South Auxiliary Channel shall proceed in an eastbound direction.

(5) *Restrictions on vessels with impaired maneuverability.*

(i) Before entry. A vessel over 100 gross tons, whose ability to maneuver is impaired by heavy weather, defective steering equipment, defective main propulsion machinery, or other damage, may not enter the Regulated Navigation Area without the permission of the Captain of the Port.

(ii) After entry. A vessel over 100 gross tons, which is underway in the Regulated Navigation Area, that has its ability to maneuver become impaired for any reason, shall, as soon as possible, report the impairment to the Captain of the Port.

(6) *Requirements for navigation charts, radars, and pilots*. No vessel over 100 gross tons may enter the Regulated Navigation Area, unless it has on board:

(i) Corrected charts of the Regulated Navigation Area. Instead of corrected paper charts, warships or other vessels owned, leased, or operated by the United States Government and used only in government noncommercial service may carry electronic charting and navigation systems that have met the applicable agency regulations regarding navigation safety.

(ii) An operative radar during periods of reduced visibility;

(iii) When in inland waters, a pilot or other person on board with previous experience navigating vessels on the waters of the Regulated Navigation Area.

(7) *Emergency procedures*.

(i) Except as provided in paragraph (d)(7)(ii) of this section, in an emergency any vessel may deviate from the regulations in this section to the extent necessary to avoid endangering the safety of persons, property, or the environment.

(ii) A vessel over 100 gross tons with an emergency that is located within two nautical miles of the CBBT or I-664 Bridge Tunnel shall notify the Captain of the Port of its location and the nature of the emergency, as soon as possible.

(8) *Vessel speed limits*.

(i*) Little Creek.* A vessel may not proceed at a speed over five knots between the Route 60 bridge and the mouth of Fishermans Cove (Northwest Branch of Little Creek).

(ii) *Southern Branch of the Elizabeth River.* A vessel may not proceed at a speed over six knots between the junction of the Southern and Eastern Branches of the Elizabeth River and the Norfolk and Portsmouth Belt Line Railroad Bridge between Chesapeake and Portsmouth, Virginia.

(iii) *Norfolk Harbor Reach*. Nonpublic vessels of 300 gross tons or more may not proceed at a speed over 10 knots between the Elizabeth River Channel Lighted Gong Buoy 5 of Norfolk Harbor Reach (southwest of Sewells Point) at approximately 36˚58'00"N., 076˚20'00"W, and gated Elizabeth River Channel Lighted Buoys 17 and 18 of Craney Island Reach (southwest of Norfolk International Terminal at approximately 36˚54'17"N., and 076˚20'11"W.

(9) *Port security requirements*. Vessels in excess of 300 gross tons, including tug and barge combinations in excess of 300 gross tons (combined), shall not enter the Regulated Navigation Area, move within the Regulated Navigation Area, or be present within the Regulated Navigation Area, unless they comply with the following requirements:

(i) Obtain authorization to enter the Regulated Navigation Area from the designated representative of the Captain of the Port prior to entry. All vessels entering or remaining in the Regulated Navigation Area may be subject to a Coast Guard boarding.

(ii) Ensure that no person who is not a permanent member of the vessel's crew, or a member of a Coast Guard boarding team, boards the vessel without a valid purpose and photo identification.

(iii) Report any departure from or movement within the Regulated Navigation Area to the designated representative of the Captain of the Port prior to getting underway.

(iv) The designated representative of the Captain of the Port shall be contacted on VHF-FM channel 12, or by calling 757-444-5209, 757-444-5210, or 757-668-5555.

(v) In addition to the authorities listed in this part, this paragraph is promulgated under the authority under 33 U.S.C. 1226.

(e) *Waivers*.

(1) The Captain of the Port may, upon request, waive any regulation in this section.

(2) An application for a waiver must state the need for the waiver and describe the proposed vessel operations.

(f) *Control of vessels within the regulated navigation area.*

(1) When necessary to prevent damage, destruction or loss of any vessel, facility or port infrastructure, the Captain of the Port may direct the movement of vessels or issue orders requiring vessels to anchor or moor in specific locations.

(2) If needed for the maritime, commercial or security interests of the United States, the Captain of the Port may order a vessel to move from the location in which it is anchored to another location within the Regulated Navigation Area.

(3) The master of a vessel within the Regulated Navigation Area shall comply with any orders or directions issued to the master's vessel by the Captain of the Port.

(FR 6/12/03) 36/03

COAST PILOT 3 36 Ed 2003 Change No. 2

Page 71—Paragraph 639; read:

The draw of the Route 70 Bridge, mile 3.4, at Riviera Beach, shall open on signal on the hour, except that from 4 p.m. to 7 p.m. Monday through Friday and from 11 p.m. to 7 a.m., every day the draw need not be opened.

(CL 1211/03; FR 06/11/03) 36/03

Page 73—Paragraph 691; read:

(a) The draw of the Route 130 highway bridge, mile 1.8 at Bridgeport, shall open on signal:

(1) March 1 through November 30, from 7 a.m. to 11 p.m.

(2) At all other times, if at least four hours notice is given.

(b) The draw of the CONRAIL Railroad Bridge, mile 2.0 at Bridgeport, shall operate as follows:

(1) From March 1 through November 30, the draw shall be left in the open position at all times and will only be closed for the passage of trains and to perform periodic maintenance authorized in accordance with subpart A of this part.

(i) Trains shall be controlled so that any delay in opening of the draw shall not exceed ten minutes except as provided in § 117.31(b).

(ii) Before the bridge closes for any reason, a train crewmember will observe the waterway for approaching craft, which will be allowed to pass. A train crewmember will then operate the bridge by radiophone. The bridge shall only be closed if a train crewmember's visual inspection shows that the channel is clear and there are no vessels transiting in the area.

(iii) While the CONRAIL Railroad Bridge is moving from the full open to the full closed position, a train crewmember will maintain constant surveillance of the navigational channel to ensure no conflict with maritime traffic exists. In the event of failure or obstruction, the train crewmember will stop the bridge and return the bridge to the open position.

(iv) The CONRAIL Railroad channel traffic lights will change from flashing green to flashing red anytime the bridge is not in the full open position.

(v) During closing of the span, the channel traffic lights will change from flashing green to flashing red, the horn will sound four times, followed by a pause, then the four blasts will be repeated and the bridge will close. When the rail traffic has cleared the swing span, the horn will automatically sound five times to signal the draw of the CONRAIL Railroad Bridge is about to return to its full open position.

(vi) During open span movement, the channel traffic lights will be flashing red, the horn will sound four times, followed by a pause, then four blasts will be repeated until the bridge is in the full open position. In the full open position, the channel traffic lights will then turn from flashing red to flashing green.

(2) At all other times, the draw may be left in the closed position and opened on signal if at least four hours notice is given by telephone at (856) 231–2393.

(CL 1065/03; FR 05/20/03) 36/03

Page 175—Paragraph 39, lines 5 to 6; read:

charted. In March 2003, the controlling depth was 4.1 feet in the entrance between ...

(BP 180690) 36/03

Page 182—Paragraph 75, lines 2 to 3; read:

miles west of Cape May Inlet. In February 2003, the mid-channel controlling depth was 12.6 feet through ...

(BPs 180424-25) 36/03

Page 194—Paragraph 134, lines 1 to 2; read:

Cornell Harbor, a channel with a reported depth of 4.0 feet in the north half in June 2000, leads southeastward through the ...

(10/03 CG5; BPs 179448-50; CL 2075/02) 36/03

Page 194—Paragraph 135, lines 1 to 5; read:

Pennsylvania Harbor, 0.5-mile southwestward of Cornell Harbor, had a reported controlling depth of 2.7 feet (4.5 feet at midchannel) in June 2000. **Princeton Harbor**, 0.2-mile southwestward of Pennsylvania Harbor had a reported controlling depth of 2.3 feet (deeper water is available with local knowledge) in 1999-June 2000. Both ...

(BPs 179442-47; CL 2075/02) 36/03

Page 251—Paragraph 33, lines 2 to 3; read:

centered on Chesapeake Bay Entrance Lighted Whistle Buoy CH (36˚56'08"N., 75˚57'27"W.). A racon is at the buoy.

(13/03 CG5; LL/03) 36/03

Page 279—Paragraph 61, line 7 to Paragraph 62, line 1; read:

obtained in town.

Chart 12244

Mattaponi River, which empties into York River ...

(NOS/03; NOS 12244) 36/03

COAST PILOT 3 36 Ed 2003 Change No. 3

Page 279—Paragraph 56, lines 4 to 8; read:

0.4 mile above the entrance. In January 2003, the reported midchannel controlling depths were 1.4 feet, thence depths of 1 to 2 feet in the ...

(CL 659/03; BP 180349; NOS 12243) 36/03

Page 284—Paragraph 132, lines 2 to 3; read:

are about 12 feet in the entrance, 8.5 feet in Eastern Branch to the wharves at Irvington, and 6 feet in **Carter Cove**, ...

(BP 180432; NOS 12235) 36/03

Page 284—Paragraph 138, lines 3 to 4; read:

buoys. In August 2002, the controlling depth was 1.8 feet in the west half and 3.2 feet in the east half of the channel to the head of the project.

(BP 180268) 36/03

Page 284—Paragraph 140, lines 3 to 4; read:

August 2002, the controlling depths were 2.6 feet in the channel (7.6 feet at midchannel) and 7.9 to 8.1 feet ...

(CL 650/03; BP 180267) 36/03

Page 288—Paragraph 192, line 3; read:

channel, marked by daybeacons, in August 2002 had a controlling ...

(BP 180433) 36/03

Page 304—Paragraph 178; read:

Fourmile Run, Mile 93.0 W, is used only by very small boats and skiffs at high water. The outer basin is navigable for small boats, using care, local knowledge, and the chart as guides. Airport landing lights extend 0.5 mile into the basin from the north side. The Washington Sailing Marina is in the cove on the south side of the basin just above the entrance. In February 2000, the controlling depths were 5.8 feet (7.3 feet at midchannel) in the marina entrance channel, thence depths of 7.7 feet to 11.1 feet were in the cove, with much lesser depths along the sides.

(BPs 177347-49; NOS 12285; NOS 12289) 36/03

Page 359—Paragraph 132, line 8; read:

bridge have a least clearance of 46 feet. **Marley Creek** ...

(CL 621/03) 36/03

Page 367—Paragraph 11, line 1; read:

Seattle: Director, Marine Operations Center (Pacific), National ...

(CL 1200/03) 36/03

COAST PILOT 3 36 Ed 2003 Change No. 4

Page 39—Paragraph 665, line 4 to Paragraph 666, line 2; read:

in the Coast Pilot and Sailing Directions.

MARINE POLLUTION

Compliance with the Federal Water Pollution Control Act or Clean Water Act

The Federal Water Pollution Control Act (FWPCA) or Clean Water Act (CWA) was passed to restore and maintain the chemical, physical and biological integrity of our nation's waters.

No Discharge Zones.–Section 312 of the FWPCA, entitled "Marine Sanitation Devices" (see **40 CFR 140** in Chapter 2), gives the Environmental Protection Agency (EPA) and States the authority to designate certain areas as No-Discharge Zones (NDZ) for vessel sewage. Freshwater lakes, freshwater reservoirs, or other freshwater impoundments whose entrances and exits prohibit traffic by regulated vessels (vessels with installed toilets) are, by regulation, NDZs. Rivers that do not support interstate navigation vessel traffic are also NDZs by regulation. Water bodies that can be designated as NDZs by States and EPA include: the Great Lakes and their connecting waterways, freshwater lakes and impoundments accessible through locks, and other flowing waters that support interstate navigation by vessels subject to regulation.

Inside No-Discharge Zone waters, discharge of any sewage, whether treated or untreated, is completely prohibited.

Discharge of sewage in waters not designated under **40 CFR 140** as No-Discharge Zones is regulated by the Marine Sanitation Device Standard (see **40 CFR 140** in Chapter 2.)

Oil Pollution.–The FWPCA also prohibits the discharge of quantities of either oil or ...

(CL 139/02; 40 CFR 140) 36/03

Page 40—Paragraph 674, line 8 to Paragraph 675, line 1; read:

against organizations which violate MARPOL.

Packaged Marine Pollutants

On October 1, 1993, new regulations under the ...

(CL 139/02; 40 CFR 140) 36/03

Page 41—Paragraph 677, line 10 to Paragraph 678, line 1;

read:
substance, solid or liquid, N.O.S. (class 9).

Ocean Dumping
The Marine Protection Research and Sanctuaries ...
(CL 139/02; 40 CFR 140) 36/03

Page 45—Paragraph 1; read:
This chapter contains extracts from **Code of Federal Regulations (CFR)** that are of importance to mariners in the area covered by this Coast Pilot. Sections of little value to the mariner are sometimes omitted. Omitted sections are signified by the following [...]
Extracts from the following titles are contained in this chapter.
(NOS/03) 36/03

Page 368—Paragraph 45, line 5 to Paragraph 48; read:
2288, Mobile, AL 36602, Attn: Map Sales, LM-SR; telephone, 251-441-5631.
Flood Control and Navigation Maps of the Mississippi River, Cairo, IL to the Gulf of Mexico: Published by Mississippi River Commission and for sale by U.S. Army Engineer District Vicksburg, 4155 Clay Street, Vicksburg, MS 39183-3435, Attn: Map Sales; telephone: 601-631-5042.
Upper Mississippi River Navigation Charts (Mississippi River, Cairo, IL to Minneapolis, MN): Published and for sale by U.S. Army Engineer District Rock Island, Clock Tower Bldg., P.O. Box 2004, Rock Island, IL 61204-2004; telephone, 309-794-5338.
Charts of the Illinois Waterway, from Mississippi River at Grafton, IL to Lake Michigan at Chicago and Calumet Harbors: Published and for sale by U.S. Army Engineer District Rock Island, Clock Tower Bldg., P.O. Box 2004, Rock Island, IL 61204-2004; telephone, 309-794-5338.
(CE/03) 36/03

COAST PILOT 3 36 Ed 2003 Change No. 5
Page 45—Paragraph CFR Box, (insert after Part 334):
Title 40 (40 CFR): Protection of Environment
Part 140 Marine Sanitation Device Standard
(40 CFR 140) 36/03

Page 149—Paragraph 2524, line 3; read:
Creek, Norfolk, Virginia.

TITLE 40–PROTECTION OF ENVIRONMENT

Part 140–Marine Sanitation Device Standard

§140.1 Definitions.
For the purpose of these standards the following definitions shall apply:
(a) *Sewage* means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;
(b) *Discharge* includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping;
(c) *Marine sanitation device* includes any equipment for installation onboard a vessel and which is designed to receive, retain, treat, or discharge sewage and any process to treat such sewage;
(d) *Vessel* includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on waters of the United States;
(e) *New vessel* refers to any vessel on which construction was initiated on or after January 30, 1975;
(f) *Existing vessel* refers to any vessel on which construction was initiated before January 30, 1975;
(g) *Fecal coliform bacteria* are those organisms associated with the intestines of warm-blooded animals that are commonly used to indicate the presence of fecal material and the potential presence of organisms capable of causing human disease.

§140.2 Scope of standard.
The standard adopted herein applies only to vessels on which a marine sanitation device has been installed. The standard does not require the installation of a marine sanitation device on any vessel that is not so equipped. The standard applies to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security.

§140.3 Standard.
(a) (1) In freshwater lakes, freshwater reservoirs or other freshwater impoundments whose inlets or outlets are such as to prevent the ingress or egress by vessel traffic subject to this regulation, or in rivers not capable of navigation by interstate vessel traffic subject to this regulation, marine sanitation devices certified by the U.S. Coast Guard (see 33 CFR part 159, published in 40 FR 4622, January 30, 1975), installed on all vessels shall be designed and operated to prevent the overboard discharge of sewage, treated or untreated, or of any waste derived from sewage. This shall not be construed to prohibit the carriage of Coast Guard-certified flow-through treatment devices which have been secured so as to prevent such discharges.
(2) In all other waters, Coast Guard-certified marine sanitation devices installed on all vessels shall be designed and operated to either retain, dispose of, or discharge sewage. If the device has a discharge, subject to paragraph (d) of this section, the effluent shall not have a fecal coliform bacterial count of greater than 1,000 per 100 milliliters nor visible floating solids. Waters where a Coast Guard-certified marine sanitation device permitting discharge is allowed include coastal waters and estuaries, the Great Lakes and inter-connected waterways, fresh-water lakes and impoundments accessible through locks, and other flowing waters that are navigable interstate by vessels subject to this regulation.
(b) This standard shall become effective on January 30, 1977 for new vessels and on January 30, 1980 for existing vessels (or, in the case of vessels owned and operated by the Department of Defense, two years and five years, for new and existing vessels, respectively, after promulgation of implementing regulations

by the Secretary of Defense under section 312(d) of the Act).

(c) Any vessel which is equipped as of the date of promulgation of this regulation with a Coast Guard-certified flow-through marine sanitation device meeting the requirements of paragraph (a)(2) of this section, shall not be required to comply with the provisions designed to prevent the overboard discharge of sewage, treated or untreated, in paragraph (a)(1) of this section, for the operable life of that device.

(d) After January 30, 1980, subject to paragraphs (e) and (f) of this section, marine sanitation devices on all vessels on waters that are not subject to a prohibition of the overboard discharge of sewage, treated or untreated, as specified in paragraph (a)(1) of this section, shall be designed and operated to either retain, dispose of, or discharge sewage, and shall be certified by the U.S. Coast Guard. If the device has a discharge, the effluent shall not have a fecal coliform bacterial count of greater than 200 per 100 milliliters, nor suspended solids greater than 150 mg/1.

(e) Any existing vessel on waters not subject to a prohibition of the overboard discharge of sewage in paragraph (a)(1) of this section, and which is equipped with a certified device on or before January 30, 1978, shall not be required to comply with paragraph (d) of this section, for the operable life of that device.

(f) Any new vessel on waters not subject to the prohibition of the overboard discharge of sewage in paragraph (a)(1) of this section, and on which construction is initiated before January 31, 1980, which is equipped with a marine sanitation device before January 31, 1980, certified under paragraph (a)(2) of this section, shall not be required to comply with paragraph (d) of this section, for the operable life of that device.

(g) The degrees of treatment described in paragraphs (a) and (d) of this section are ''appropriate standards" for purposes of Coast Guard and Department of Defense certification pursuant to section 312(g)(2) of the Act.

§140.4 Complete prohibition.

(a) Prohibition pursuant to CWA section 312(f)(3): a State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into some or all of the waters within such State by making a written application to the Administrator, Environmental Protection Agency, and by receiving the Administrator's affirmative determination pursuant to section 312(f)(3) of the Act. [...]

(b) Prohibition pursuant to CWA section 312(f)(4)(A): a State may make a written application to the Administrator, Environmental Protection Agency, under section 312(f)(4)(A) of the Act, for the issuance of a regulation completely prohibiting discharge from a vessel of any sewage, whether treated or not, into particular waters of the United States or specified portions thereof, which waters are located within the boundaries of such State. Such application shall specify with particularly the waters, or portions thereof, for which a complete prohibition is desired. The application shall include identification of water recreational areas, drinking water intakes, aquatic sanctuaries, identifiable fish-spawning and nursery areas, and areas of intensive boating activities. If, on the basis of the State's application and any other information available to him, the Administrator is unable to make a finding that the waters listed in the application require a complete prohibition of any discharge in the waters or portions thereof covered by the application, he shall state the reasons why he cannot make such a finding, and shall deny the application. If the Administrator makes a finding that the waters listed in the application require a complete prohibition of any discharge in all or any part of the waters or portions thereof covered by the State's application, he shall publish notice of such findings together with a notice of proposed rule making, and then shall proceed in accordance with 5 U.S.C. 553. If the Administrator's finding is that applicable water quality standards require a complete prohibition covering a more restricted or more expanded area than that applied for by the State, he shall state the reasons why his finding differs in scope from that requested in the State's application. [...]

(ii) Waters of the State of Florida within the boundaries of the Florida Keys National Marine Sanctuary as delineated on a map of the Sanctuary at *http://www.fknms.nos.noaa.gov/*.

(c)(1) Prohibition pursuant to CWA section 312(f)(4)(B): A State may make written application to the Administrator of the Environmental Protection Agency under section 312(f)(4)(B) of the Act for the issuance of a regulation establishing a drinking water intake no discharge zone which completely prohibits discharge from a vessel of any sewage, whether treated or untreated, into that zone in particular waters, or portions thereof, within such State. Such application shall:

(i) Identify and describe exactly and in detail the location of the drinking water supply intake(s) and the community served by the intake(s), including average and maximum expected amounts of inflow;

(ii) Specify and describe exactly and in detail, the waters, or portions thereof, for which a complete prohibition is desired, and where appropriate, average, maximum and low flows in million gallons per day (MGD) or the metric equivalent;

(iii) Include a map, either a USGS topographic quadrant map or a NOAA nautical chart, as applicable, clearly marking by latitude and longitude the waters or portions thereof to be designated a drinking water intake zone; and

(iv) Include a statement of basis justifying the size of the requested drinking water intake zone, for example, identifying areas of intensive boating activities.

(2) If the Administrator finds that a complete prohibition is appropriate under this paragraph, he or she shall publish notice of such finding together with a notice of proposed rulemaking, and then shall proceed in accordance with 5 U.S.C. 553. If the Administrator's finding is that a complete prohibition covering a more restricted or more expanded area than that applied for by the State is appropriate, he or she shall also include a statement of the reasons why the finding differs in scope from that requested in the State's application.

(3) If the Administrator finds that a complete prohibition is inappropriate under this paragraph, he or she shall deny the application and state the reasons for such denial.

(4) For the following waters the discharge from a vessel of any sewage, whether treated or not, is completely prohibited pursuant to CWA section 312(f)(4)(B):

(i) Two portions of the Hudson River in New York State, the first is bounded by an east-west line through the most northern confluence of the Mohawk River which will be designated by the Troy-Waterford Bridge (126th Street Bridge) on the south and Lock 2 on the north, and the second of which is bounded on the north by the southern end of Houghtaling Island and on the south by a line between the Village of Roseton on the western shore and Low Point on the eastern shore in the vicinity of Chelsea, as described in Items 2 and 3 of 6 NYCRR Part 858.4.

(ii) [Reserved]

§140.5 Analytical procedures.

In determining the composition and quality of effluent discharge from marine sanitation devices, the procedures contained in 40 CFR part 136, ''Guidelines Establishing Test Procedures for the Analysis of Pollutants,'' or subsequent revisions or amendments thereto, shall be employed.

(40 CFR 140) 36/03

COAST PILOT 3 36 Ed 2003 Change No. 6

Page 87—Paragraphs 1060 to 1061; read:

(d) [Suspended]

(e) [Suspended]

(FR 5/22/03) 36/03

Page 88—Paragraph 1111, lines 8 to 12; read:

of Canada by fax at 315-764-3235 or at 315-764-3200.

(FR 5/22/03) 36/03

Page 90—Table, item 8; read:

(8) [Suspended]

(FR 5/22/03) 36/03

Page 91—Paragraph 1112, line 4 to Paragraph 1117; read:

Captain of the Port (COTP).

(d) [Suspended]

(FR 5/22/03) 36/03

Page 91—Paragraphs 1124 to 1126; read:

(c) [Suspended]

(FR 5/22/03) 36/03

COAST PILOT 3 36 Ed 2003 Change No. 7

Page 46—Paragraph 32, line 7; read:

161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and ...

(FR 7/1/03) 36/03

Page 47 to Page 48; strike out.

(FR 7/1/03) 36/03

Page 92—Paragraph 1139, line 4; read:

which the direction of traffic may be recommended.

Navigable waters means all navigable waters of the United States including the territorial sea of the United States, extending to 12 nautical miles from United States baselines, as described in Presidential Proclamation No. 5928 of December 27, 1988.

(FR 7/1/03) 36/03

Page 92—Paragraphs 1141 to 1145; read:

Vessel Movement Center (VMC) means the shore-based facility that operates the vessel tracking system for a Vessel Movement Reporting System (VMRS) area or sector within such an area. The VMC does not necessarily have the capability or qualified personnel to interact with marine traffic, nor does it necessarily respond to traffic situations developing in the area, as does a Vessel Traffic Service (VTS).

Vessel Movement Reporting System (VMRS) means a mandatory reporting system used to monitor and track vessel movements. This is accomplished by a vessel providing information under established procedures as set forth in this part in the areas defined in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas).

Vessel Movement Reporting System (VMRS) User means a vessel, or an owner, operator, charterer, Master, or person directing the movement of a vessel that is required to participate in a VMRS.

(FR 7/1/03) 36/03

Page 94—Paragraph 1178, line 1; read:

(b) If, in a specific circumstance, a VTS User is unable ...

(FR 7/1/03) 36/03

Page 94—Paragraph 1179 to Paragraph 1181, line 1; read:

(c) When not exchanging voice communications, a VTS User must maintain a listening watch as required by §26.04(e) of this chapter on the VTS frequency designated in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas). In addition, the VTS User must respond promptly when hailed and communicated in the English language.

Note to §161.12(c): As stated in 47 CFR 80.148(b), a very high frequency watch on Channel 16 (156.800 MHz) is not required on vessels subject to the Vessel Bridge-to-Bridge Radiotelephone Act and participating in a Vessel Traffic Service (VTS) system when the watch is maintained on both the vessel bridge-to-bridge frequency and a designated VTS frequency.

(d) As soon as practicable a, VTS User shall notify ...

(FR 7/1/03) 36/03

Page 94—Paragraph 1197, lines 2 to 6; read:

a system used to monitor and track vessel movements within a VTS or VMRS area. This is accomplished by requiring that vessels provide information under established procedures as set forth in this part, or as directed by the Center.

(FR 7/1/03) 36/03

Page 94—Paragraph 1198, line 5 to Paragraph 1199; read:
are consolidated into three reports (sailing plan, position, and final).

§161.16 Applicability.
Unless otherwise stated, the provisions of this subpart apply to the following vessels and VMRS Users:
(FR 7/1/03) 36/03

Page 94—Paragraph 1203, line 1; read:
As used in the subpart:
Center means a Vessel Traffic Center or Vessel Movement Center.
Published means available ...
(FR 7/1/03) 36/03

Page 97—Paragraph 1204, line 1; read:
(a) A Center may: (1) Direct a vessel to provide any of ...
(FR 7/1/03) 36/03

Page 97—Paragraph 1207, line 3; read:
Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, ...
(FR 7/1/03) 36/03

Page 97—Paragraph 1208, line 4; read:
designated in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated ...
(FR 7/1/03) 36/03

Page 97—Paragraph 1209, line 7 to Paragraph 1210, line 1; read:
VTS frequency.
(d) A vessel must report:
(1) Any significant deviation from its Sailing Plan, as defined in §161.19, or from previously reported information; or
(2) Any intention to deviate from a VTS issued measure or vessel traffic routing system.
(e) When reports required by this part include time ...
(FR 7/1/03) 36/03

Page 97—Paragraphs 1219 to 1226; read:
(a) Upon point of entry into a VMRS area;
(b) At designated points as set forth in Subpart C; or
(c) When directed by the Center.

§161.21 Automated reporting.
(a) Unless otherwise directed, vessels equipped with an Automatic Identification System (AIS) are required to make continuous, all stations, AIS broadcasts, in lieu of voice Position Reports, to those Centers denoted in Table 161.12(c) of this part.
(b) Should an AIS become non-operational, while or prior to navigating a VMRS area, it should be restored to operating condition as soon as possible, and, until restored a vessel must:
(1) Notify the Center;
(2) Make voice radio Position Reports at designated reporting points as required by §161.20(b) of this part; and
(3) Make any other reports as directed by the Center.
(FR 7/1/03) 36/03

COAST PILOT 3 36 Ed 2003 Change No. 8
Page 95 to Page 96; read:

TABLE 161.12(C).—VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas

Center MMSI[1] Call Sign	Designated frequency (Channel designation)—purpose[2]	Monitoring area[3], [4]
Berwick Bay—003669950 *Berwick Traffic*	156.550 MHz (Ch. 11)	The waters south of 29º45'N., west of 91º10'W., north of 29º37'N., and east of 91º18'W.
Houston-Galveston—003669954		The navigable waters north of 29ºN., west of 94º20'W., south of 29º49'N., and east of 95º20'W.
Houston Traffic	156.550 MHz (Ch. 11) 156.250 MHz (Ch. 5A)—For Sailing Plans only	The navigable waters north of a line extending due west from the southern most end of Exxon Dock #1 (20º43.37'N., 95º01.27'W.)
Houston Traffic	156.600 MHz (Ch. 12) 156.250 MHz (Ch. 5A)—For Sailing Plans only	The navigable waters south of a line extending due west from the southern most end of Exxon Dock #1 (20º43.37'N., 95º01.27'W.)
Los Angeles/Long Beach: MMSI/To be determined *San Pedro Traffic*	156.700 MHz (Ch. 14)	*Vessel Movement Reporting System Area*: The navigable waters within a 25 nautical mile radius of Point Fermin Light (33º42.3'N., 118º17.6'W.)
Louisville: Not applicable *Louisville Traffic*	156.650 MHz (Ch. 13)	The waters of the Ohio River between McAlpine Locks (Mile 606) and Twelve Mile Island (Mile 593), only when the McAlpine upper pool gauge is at approximately 13.0 feet or above.

Lower Mississippi River[5]—0036699952		
New Orleans Traffic	156.700 MHz (Ch. 14)	The navigable waters of the Lower Mississippi River below 30º38.7'N., 91º17.5'W. (Port Hudson Light at 255 miles Above Head of Passes (AHP)), the Southwest Pass, and, within a 12 nautical miles radius around 28º54.3'N., 89º25.7'W. (Southwest Pass Entrance Light at 19.9 miles Below Head of Passes).
New Orleans Traffic	156.600 MHz (Ch. 12)	*New Orleans Sector.* The navigable waters of the Lower Mississippi River bounded on the north by a line drawn perpendicular at 29º56.4'N., 90º08.36'W. and on the south by a line drawn perpendicularly at 29º56.24'N., 89º59.86'W. (88 and 106 miles AHP).
New York —003669951 *New York Traffic*	156.550 MHz (Ch.11)—For Sailing Plans only 156.600 MHz (Ch. 12)—For vessels at anchor	The area consists of the navigable waters of the Lower New York Bay bounded on the east by a line drawn from Norton Point to Breezy Point; on the south by a line connecting the entrance buoys at the Ambrose Channel, Swash Channel, and Sandy Hook Channel to Sandy Hook Point; and on the southeast including the waters of Sandy Hook Bay south to a line drawn at latitude 40º25'N.; then west in the Raritan Bay to the Raritan River Railroad Bridge, then north into waters of the Arthur Kill and Newark Bay to the Lehigh Valley Draw Bridge at latitude 40º41.9'N.; and then east including the waters of the Kill Van Kull and the Upper New York Bay north to a line drawn east-west from the Holland Tunnel ventilator shaft at latitude 40º43.7'N., longitude 74º01.6'W., in the Hudson River; and then continuing east including the waters of the East River to the Throgs Neck Bridge, excluding the Harlem River.
New York Traffic	156.700 MHz (Ch. 14)	The navigable waters of the Lower New York Bay west of a line drawn from Norton Point to Breezy Point; and north of a line connecting the entance buoys of Ambrose Channel, Swash Channel, and Sandy Hook Channel, to Sandy Hook Point; on the southeast including the waters of the Sandy Hook Bay south to a line drawn at latitude 40º25'N.; then west into the waters of Raritan Bay East Reach to a line drawn from Great Kills Light south through Raritan Bay East Reach LGB #14 to Comfort PT, NJ; then north including the waters of the Upper New York Bay south of 40º42.40'N. (Brooklyn Bridge) and 40º43.70'N. (Holand Tunnel Ventilator Shaft); west through the KVK into the Arthur Kill north of 40º38.25'N. (Arthur Kill Railroad Bridge); then north into the waters of the Newark Bay, south of 40º41.95'N. (Lehigh Valley Draw Bridge).

New York Traffic	156.600 MHz (Ch. 12)	The navigable waters of the Raritan Bay south to a line drawn at latitude 40º26'N.; then west of a line drawn from Great Kills Light south through the Raritan Bay East Reach LGB #14 to Point Comfort, NJ; then west to the Raritan River Railroad Bridge; and north including the waters of the Arthur Kill to 40º28.25'N. (Arthur Kill Railroad Bridge); including the waters of the East River north of 40º42.40'N. (Brooklyn Bridge) to the Throgs Neck Bridge, excluding the Harlem River.
Port Arthur[5]—003669955 *Sabine Traffic*	To be determined	The navigable waters south of 30º10'N., east of 94º20'W., west of 93º22'W. and, north of 29º10'N.
Prince William Sound—003669958 *Valdez Traffic*	156.650 MHz (Ch. 13)	The navigable waters south of 61º05'N., east of 147º20'W., north of 60ºN., and west of 146º30'W.; and, all navigable waters in Port Valdez.
Puget Sound[6] *Seattle Traffic*—003669957	156.700 MHz (Ch. 14)	The waters of Puget Sound, Hood Canal and adjacent waters south of a line connecting Marrowstone Point and Lagoon Point in Admiralty Inlet and south of a line drawn due east from the southernmost tip of Possession Point on Whidbey Island to the shoreline.
Seattle Traffic—003669957	156.250 MHz (Ch. 5A)	The waters of the Strait of Juan de Fuca east of 124º40'W. excluding the waters in the central portion of the Strait of Juan de Fuca north and east of Race Rocks; the navigable waters of the Strait of Georgia east of 122º52'W.; the San Juan Island Archipelago, Rosario Strait, Bellingham Bay; Admiralty Inlet north of a line connecting Marrowstone Point and Lagoon Point and all waters east of Whidbey Island North of a line drawn due east from the southernmost tip of Possession Point on Whidbey Island to the shoreline.
Tofino Traffic—003160012	156.725 MHz (Ch. 74)	The waters west of 124º40'W. within 50 nautical miles of the coast of Vancouver Island including the waters north of 48ºN., and east of 127ºW.
Victoria Traffic—003160010	156.550 MHz (Ch. 11)	The waters of the Strait of Georgia west of 122º52'W., the navigable waters of the central Strait of Juan de Fuca north and east of Race Rocks, including the Gulf Island Archipelago, Boundary Pass and Haro Strait.
San Francisco—003669956 *San Francisco Traffic*	156.700 MHz (Ch. 14)	The navigable waters of the San Francisco Offshore Precautionary Area, the navigable waters shoreward of the San Francisco Offshore Precautionary Area east of 122º42.0'W. and north of 37º40.0'N. extending eastward through the Golden Gate, and the navigable waters of San Francisco Bay and as far east as the port of Stockton on the San Joaquin River, as far north as the port of Sacramento on the Sacramento River.
San Francisco Traffic	156.600 MHz (Ch. 12)	The navigable waters within a 38 nautical mile radius of Mount Tamalpais (37º55.8'N., 122º34.6'W.) west of 122º42.0'W. and south of 37º40.0'N. and excluding the San Francisco Offshore Precautionary Area.

St. Marys River—003669953 *Soo Traffic*	156.600 MHz (Ch. 12)	The waters of the St. Marys River between 45º57'N. (De Tour Reef Light) and 46º38.7'N. (Ile Parisienne Light), except the St. Marys Falls Canal and those navigable waters east of a line from 46º04.16'N. and 46º01.57'N. (La Pointe to Sims Point in Potagannissing Bay and Worsley Bay).

Notes:

[1]Maritime Mobile Service Identifier (MMSI) is a unique nine-digit number assigned that identifies ship stations, ship earth stations, coast stations, coast earth stations, and group calls for use by a digital selective calling (DSC) radio, an INMARSAT ship earth station or AIS. AIS requirements are set forth in §§161.21 and 164.46 of this subchapter.

[2]In the event of a communication failure, difficulties or other safety factors, the Center may direct or permit a user to monitor and report on any other designated monitoring frequency or the bridge-to-bridge navigational frequency, 156.650 MHz (Channel 13) or 156.375 MHz (Ch. 67), to the extent that doing so provides a level of safety beyond that provided by other means. The bridge-to-bridge navigational frequency, 156.650 MHz (Ch. 13), is used in certain monitoring areas where the level of reporting does not warrant a designated frequency.

[3]All geographic coordinates (latitude and longitude) are expressed in North American Datum of 1983 (NAD 83).

[4]Some monitoring areas extend beyond navigable waters. Although not required, users are strongly encouraged to maintain a listening watch on the designated monitoring frequency in these areas. Otherwise, they are required to maintain watch as stated in 47 CFR 80.148.

[5]Until rules regarding VTS Lower Mississippi River and VTS Port Arthur are published, vessels are exempted of all VTS and VMRS requirements set forth in 33 CFR part 161, except those set forth in §§161.21 and 161.46 of this subchapter.

[6]A Cooperative Vessel Traffic Service was established by the United States and Canada within adjoining waters. The appropriate Center administers the rules issued by both nations; however, enforces only its own set of rules within its jurisdiction. Note, the bridge-to-bridge navigational frequency, 156.650 MHz (Ch. 13), is not so designated in Canadian waters, therefore users are encouraged and permitted to make passing arrangements on the designated monitoring frequencies.

(FR 7/1/03) 36/03

COAST PILOT 3 36 Ed 2003 Change No. 9

Page 97—Paragraph 1235, line 3; read:

VMRS area; and ...

(FR 7/1/03) 36/03

Page 97—Paragraphs 1237 to 1242; strike out.

(FR 7/1/03) 36/03

Page 99—Paragraph 1243 to Paragraph 1247, line 1; read:

Subpart C–Vessel Traffic Service and Vessel Movement Reporting System Areas and Reporting Points

Note: All geographic coordinates contained in part ...

(FR 7/1/03) 36/03

Page 103—Paragraph 1269, line 3; read:

more gross tons (except as provided in paragraphs (c) and (d) of ...

(FR 7/1/03) 36/03

Page 103—Paragraph 1275, lines 1 to 2; read:

(c) Provisions of §§164.11(a)(2) and (c), 164.30, 164.33, and 164.46 do not apply to warships or other vessels ...

(FR 7/1/03) 36/03

Page 103—Paragraph 1275, line 7; read:

regulations regarding navigation safety.

(d) Provisions of §164.46 apply to some self-propelled vessels of less than 1600 gross tonnage.

(FR 7/1/03) 36/03

Page 103—Paragraph 1276, line 1; read:

(a) Except as provided in §164.46(a)(2) of this part (including §§164.38 and 164.39) does ...

(FR 7/1/03) 36/03

Page 103—Paragraph 1288, line 3; read:

.....164.74

International Electrotechnical Commission (IEC)

3, rue de Varemb, Geneva, Switzerland.

IEC 61993–2, Maritime navigation and radiocommunication equipment and systems—Automatic identification systems (AIS)—part 2: Class A shipborne equipment of the universal automatic identification system (AIS)—Operational and performance requirements, methods of test and required test results First edition, 2001–12.....164.46

(FR 7/1/03) 36/03

Page 103—Paragraph 1289, line 5; read:

1975 .....164.13

Resolution MSC.74(69), Annex 3, Recommendation on Performance Standards for a Universal Shipborne Automatic Identification System (AIS), adopted May 12, 1998 ..164.46

SN/Circ.277, Guidelines for the Installation of a Shipborne Automatic Identification System (AIS), dated January 6, 2003 .....164.46

SOLAS, International Convention for Safety of Life at Sea, 1974, and 1988 Protocol relating thereto, 2000 Amendments, effective January and July 2002, (SOLAS 2000 Amendments) 164.46

Conference resolution 1, Adoption of amendments to the Annex to the International Convention for the Safety of Life at Sea, 1974, and amendments to Chapter V of SOLAS 1974, adopted December 12, 2002 .....164.46

(FR 7/1/03) 36/03

Page 104—Paragraph 1292, line 4; read:

Ship-to-Ship Identification, 1992 .....164.43

ITU–R Recommendation M.1371–1, Technical characteristics for a universal shipborne automatic identification system using time division multiple access in the VHF maritime mobile band, 1998-2001 .....164.46

(FR 7/1/03) 36/03

Page 109—Paragraph 1463, line 3 to Paragraph 1464, line 2; read:

with a rate of turn indicator.

§164.43 Automatic Identification System Shipborne Equipment–Prince William Sound.

(a) Until July 1, 2004, each vessel required to provide automated position reports to a Vessel Traffic Service (VTS) under §165.1704 of this subchapter must do so ...

(FR 7/1/03) 36/03

Page 109—Paragraph 1482, line 2; read:

operating procedures are set forth in Part 161 of this chapter.

§164.46 Automatic Identification System (AIS).

(a) The following vessels must have an installed, operational AIS that complies with the IMO Resolution MSC.74(69), ITU–R Recommendation M.1371–1, and IEC 61993–2, and that is installed using IMO SN/Circ.277 (Incorporated by reference, see §164.03) as of the date specified. "Length" refers to "registered length" as defined in 46 CFR, part 69.

(1) Self-propelled vessels of 65 feet or more in length engaged in commercial service and on an international voyage, not later than December 31, 2004.

(2) Nothwithstanding paragraph (a)(1) of this section, the following vessels subject to the International Convention for Safety at Life at Sea, 1974, (SOLAS) as amended, that are on an international voyage must also comply with SOLAS, chapter V, as amended by SOLAS 2000 Amendments and Conference resolution 1 (Incorporated by reference, see §164.03):

(i) Passenger vessels, of 150 gross tonnage or more, not later than July 1, 2003;

(ii) Tankers, regardless of tonnage, not later than the first safety survey for safety equipment on or after July 1, 2003;

(iii) Vessels, other than passenger vessels or tankers, of 50,000 gross tonnage or more, not later than July 1, 2004; and

(iv) Vessels, other than passenger vessels or tankers, of 300 gross tonnage or more but less than 50,000 gross tonnage, not later than the first safety survey for safety equipment on or after July 1, 2004, but no later than December 31, 2004.

(b) Nothwithstanding paragraphs (a)(1) and (a)(2) of this section, the following vessels, transiting an area listed in table 161.12(c) of §161.12 of this part.

(1) Each self-propelled vessel of 65 feet or more in length, engaged in commercial service;

(2) Each towing vessel of 26 feet or more in length and more than 600 horsepower;

(3) Each vessel of 100 gross tons or more carrying one or more passengers for hire; and

(4) Each passenger vessel certificated to carry 50 or more passengers for hire.

(c) The vessels listed in paragraph (b) of this section must comply according to the following schedule:

(1) For VTS St. Marys River, not later than December 31, 2003;

(2) For VTS Berwick Bay, VMRS Los Angeles/Long Beach, VTS Lower Mississippi River, VTS Port Arthur and VTS Prince William Sound, not later than July 1, 2004; and

(3) For VTS Houston-Galveston, VTS New York, VTS Puget Sound, and VTS San Francisco, not later than December 31, 2004.

(d) The requirements for Vessel Bridge-to Bridge radiotelephones in §§26.04(a) and (c), 26.05, 26.06 and 26.07 of this chapter, also apply to AIS. The term "effective operating condition" used in §26.06 includes accurate input and upkeep of all AIS data fields, including estimated time of arrival, destination, and number of people on board.

(e) The use of a portable AIS is permissible, only to the extent that electromagnetic interference does not affect the proper function of existing navigation and communication equipment on board, and such that only one AIS unit may be in operation at any one time.

(f) The AIS Pilot Plug, on each vessel over 1,600 gross tons, on international voyage, shall be available for pilot use, easily accessible from the primary conning position of the vessel, and near an AC power receptacle.

(FR 7/1/03) 36/03

COAST PILOT 3 36 Ed 2003 Change No. 10

Page 5—Paragraph 51, line 2; read:

America including the Hawai‘ian Islands;

(CL 2084/02) 36/03

Page 20—Paragraph 383, line 6; read:

Kekaha, Kauai, Hawai‘i (21º59'26"N., 159º46'00"W.) on ...

(CL 2084/02) 36/03

Page 21—Paragraph 397, line 6; read:

Hawai‘ian Datum, and others. Through the use of satellites ...

(CL 2084/02) 36/03

Page 21—Paragraph 398, line 5; read:
charts of Hawai‘i, and other Pacific Ocean islands, ...
(CL 2084/02) 36/03

Page 33—Paragraph 549, line 3; read:
in Colorado, Hawai‘i, Kwajalein, Diego Garcia, and Ascension ...
(CL 2084/02) 36/03

Page 34—Paragraph 553, line 4; read:
Rico, most of Alaska, and Hawai‘i. The system provides ...
(CL 2084/02) 36/03

Page 36—Paragraph 594, line 6; read:
Hawai‘ian Islands 2,000 miles away. The wave of May ...
(CL 2084/02) 36/03

Page 36—Paragraph 597, line 5; read:
The Pacific Tsunami Warning Center, Oahu, Hawai‘i, of ...
(CL 2084/02) 36/03

Page 367—Paragraph 21, line 2; read:
Oregon, Washington, and Hawai‘i.
(CL 2084/02) 36/03

Page 370—Paragraph 114, line 1; read:
Region IX (California, Hawai‘i, Guam): 215 ...
(CL 2084/02) 36/03

Page 372—Paragraph 168, line 3; read:
Rico; Southwest Alaska; Hawai‘i; and 300-400 NM off ...
(CL 2084/02) 36/03

Page 374—Paragraph 272; read:
Honolulu, Hawai‘i: 300 Ala Moana Boulevard, 96850.
(CL 2084/02; CP 7/02) 36/03

Page 374—Paragraph 284, line 1; read:
Pacific Region (California, Hawai‘i, Alaska, Washington, ...
(CL 2084/02) 36/03

COAST PILOT 3 36 Ed 2003 Change No. 11

Page 1—Paragraph 2, line 4; read:
http://nauticalcharts.noaa.gov/. A subscription to the Local ...
(NOS/03) 36/03

Page 116—Paragraph 1626; insert after:
§165.9 Geographic application of limited and controlled access areas and regulated navigation areas.

(a) *General.* The geographic application of the limited and controlled access areas and regulated navigation areas in this part are determined based on the statutory authority under which each is created.

(b) *Safety zones and regulated navigation areas.* These zones and areas are created under the authority of the Ports and Waterways Safety Act, 33 U.S.C. 1221–1232. Safety zones established under 33 U.S.C. 1226 and regulated navigation areas may be established in waters subject to the jurisdiction of the United States as defined in §2.38 of this chapter, including the territorial sea to a seaward limit of 12 nautical miles from the baseline.

(c) *Security zones*. These zones have two sources of authority—the Ports and Waterways Safety Act, 33 U.S.C. 1221–1232, and the Act of June 15, 1917, as emended by both the Magnuson Act of August 9, 1950 (“Magnuson Act”), 50 U.S.C. 191–195, and sec. 104 the Maritime Transportation Security Act of 2002 (Pub. L. 107-295, 116 Stat. 2064). Security zones established under either 33 U.S.C. 1226 or 50 U.S.C. 191 may be established in waters subject to the jurisdiction of the United States as defined in §2.38 of this chapter, including the territorial sea to a seaward limit of 12 nautical miles from the baseline.

(d) *Naval vessel protection zones.* These zones are issued under the authority of 14 U.S.C. 91 and 633 and may be established in waters subject to the jurisdiction of the United States as defined in §2.38 of this chapter, including the territorial sea to a seaward limit of 3 nautical miles from the baseline.
(FR 7/18/03) 36/03

COAST PILOT 3 36 Ed 2003 Change No. 12

Page 154—Paragraph 21; insert after:

Early Warning System: As weather and conditions permit, a dedicated seasonal program of overflights from Savannah, Georgia, north to Chesapeake Bay, Virginia, provide right whale sighting information to the Coast Guard and others for broadcast purposes. Many right whales in this vast geographic area, however, go undetected.
(CL 1381/03) 36/03

Page 154—Paragraph 25, lines 3 to 5; read:
Broadcast Notice to Mariners, NAVTEX, NOAA Weather Radio, or other official sources, post a lookout familiar with spotting whales. Consult with local pilots for additional precautions
(CL 1381/03) 36/03

Page 156—Paragraph 26; insert after:

When the ability to spot whales is reduced (e.g., night, fog, rain, etc.), mariners should bear in mind that reduced speed may minimize the risk of ship strikes.

Local ships’ pilots may also provide additional information on the location of right whales and local safe vessel operating procedures.
(CL 1381/03) 36/03

Page 156—Paragraph 27, line 6; read:
any right whale (see **50 CFR 224.10(c)**, chapter 2).
(50 CFR 224) 36/03

Page 172—Paragraph 12; insert after:
Northern Right Whales

Endangered northern right whales may occur within 25 miles of the New Jersey coast (peak season: February

through April and September through October). (See **northern right whales**, indexed as such in chapter 3).
(CL 1381/03) 36/03

Page 201—Paragraph 57; read:

Northern Right Whales

Endangered northern right whales may occur within 25 miles of the Delaware coast in the approaches to Delaware Bay (peak season: February through April and October through December). (See **northern right whales**, indexed as such in chapter 3).
(CL 1381/03) 36/03

Page 238—Paragraph 17; insert after:

Northern Right Whales

Endangered northern right whales may occur within 25 miles of the Delaware, Maryland, and Virginia coasts (peak season: February through April and October through December). (See **northern right whales**, indexed as such in chapter 3).
(CL 1381/03) 36/03

Page 250—Paragraph 11; read:

Northern Right Whales

Endangered northern right whales may occur within 25 miles of the Virginia coast in the approaches to Chesapeake Bay (peak season: February through April and November and December). (See **northern right whales**, indexed as such in chapter 3).
(CL 1381/03) 36/03